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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1089 Session of  
2017

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INTRODUCED BY GROVE, MILLARD, WARD, KAUFFMAN, SOLOMON, SAYLOR,  
RADER, HILL-EVANS AND D. COSTA, APRIL 7, 2017

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REFERRED TO COMMITTEE ON HEALTH, APRIL 7, 2017

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AN ACT

1 Amending the act of September 27, 1961 (P.L.1700, No.699),  
2 entitled "An act relating to the regulation of the practice  
3 of pharmacy, including the sales, use and distribution of  
4 drugs and devices at retail; and amending, revising,  
5 consolidating and repealing certain laws relating thereto,"  
6 further providing for authority to administer injectable  
7 medications, biologicals and immunizations.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 9.2 of the act of September 27, 1961  
11 (P.L.1700, No.699), known as the Pharmacy Act, amended June 26,  
12 2015 (P.L.29, No.8), is amended to read:

13 Section 9.2. Authority to Administer Injectable Medications,  
14 Biologicals and Immunizations.--(a) The board shall by  
15 regulation establish education and training standards and  
16 practice guidelines pursuant to which pharmacists shall be  
17 authorized to administer injectable medications, biologicals and  
18 immunizations to persons who are more than [eighteen] nine years  
19 of age [and influenza immunizations] by injectable or needle-  
20 free delivery methods [to persons nine years of age and older].

1 Such standards and guidelines shall include, but not be limited  
2 to, the following:

3 (1) Satisfactory completion of an academic and practical  
4 curriculum approved by the board that includes the current  
5 guidelines and recommendations of the Centers for Disease  
6 Control and Prevention in the Public Health Service of the  
7 United States Department of Health and Human Services, the  
8 American Council on Pharmaceutical Education or a similar health  
9 authority or professional body and includes, but is not limited  
10 to, disease epidemiology, vaccine characteristics, injection  
11 technique, emergency response to adverse events and related  
12 topics.

13 (1.1) Accept as proof of education and training standards  
14 the immunization credentials or a license of an individual who,  
15 at the time of filing an application is licensed as a pharmacist  
16 and has immunization credentials or a license, if applicable, in  
17 another state or territory of the United States.

18 (2) Maintenance of a current cardiopulmonary resuscitation  
19 (CPR) certificate acceptable to the board.

20 (3) That the administration of injectable medications,  
21 biologicals and immunizations be in accordance with a definitive  
22 set of treatment guidelines established by a physician and the  
23 Centers for Disease Control and Prevention, Advisory Committee  
24 on Immunization Practices guidelines or another competent  
25 authority approved by the board.

26 (4) That a minimum of two hours of the thirty-hour  
27 requirement for continuing education for license renewal be  
28 dedicated to this area of practice.

29 (5) For individuals under eighteen years of age, that  
30 parental consent be obtained prior to administration.

1 Administration of [influenza] immunizations by injectable or  
2 needle-free delivery methods shall be in accordance with the  
3 immunization schedule established by the Centers for Disease  
4 Control and Prevention, the Advisory Committee on Immunization  
5 Practices or another competent authority.

6 (6) Maintenance of a level of professional liability  
7 insurance coverage in the minimum amount of one million dollars  
8 (\$1,000,000) per occurrence or claims made. Failure to maintain  
9 insurance coverage as required shall subject the licensees to  
10 disciplinary proceedings. The board shall accept as satisfactory  
11 evidence of insurance coverage any of the following:

12 (i) personally purchased liability insurance;

13 (ii) professional liability insurance coverage provided by  
14 the individual licensee's employer; or

15 (iii) similar insurance coverage acceptable to the board.

16 (7) Notification of the individual's primary care provider,  
17 if known, within forty-eight hours of administration.

18 (b) A pharmacist's authority to administer injectable  
19 medications, biologicals and immunizations shall not be  
20 delegated to any other person. A pharmacy intern who has  
21 completed a course of education and training which meets the  
22 requirements of subsection (a) (1) and (2) may administer  
23 injectable medications, biologicals and immunizations to persons  
24 who are more than [eighteen] nine years of age [and influenza  
25 immunizations] by injectable or needle-free delivery [methods to  
26 persons nine years of age and older] and only under the direct,  
27 immediate and personal supervision of a pharmacist holding the  
28 authority to administer injectable medications, biologicals and  
29 immunizations.

30 Section 2. This act shall take effect in 60 days.